

U.S.A. vs MARIO HARO

No. 08CR649-BTM

The Court finds excludable delay, under the section indicated by check (), commenced on 3/26/08 and ended on 5/1/08; (XE)
5/1/08 and ended on 7/25/08. (X7,XT1)

3161(h)

 (1) (A) Exam or hrg for **mental or physical incapacity**

 (1) (B) **NARA examination** (28:2902)

 (1) (D) State or Federal trials or **other charges pending**

 (1) (E) **Interlocutory appeals**

 X (1) (F) **Pretrial motions** (from flg to hrg or other prompt dispo)

 (1) (G) **Transfers from other district** (per FRCrP 20, 21 & 40)

 (1) (J) **Proceedings under advisement** not to exceed thirty days

 Misc proc: Parole or prob rev, deportation, **extradition**

 (1) (H) **Transportation** from another district or to/from examination or hospitalization in ten days or less

 X (1) (I) Consideration by Court of **proposed plea agreement**

 (2) **Prosecution deferred** by mutual agreement

 (3) (A) (B) **Unavailability of defendant or essential witness**

 (4) Period of **mental or physical incompetence** of defendant to stand trial

 (5) Period of **NARA commitment or treatment**

 (6) **Superseding indictment and/or new charges**

 (7) **Defendant awaiting trial of co-defendant** when no severance has been granted

 (8) (A) (B) **Continuances** granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance

 (8) (B) (I) 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.
(Continuance - miscarriage of justice)

 X 2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.
(Continuance - tendered a guilty plea)

 (8) (B) (ii) 2) **Case unusual or complex**

 (8) (B) (iii) 3) **Indictment following arrest cannot be filed** in thirty (30) days

 (8) (B) (iv) 4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare
(Continuance re counsel)

 3161(I) Time up to **withdrawal of guilty plea**

 3161(b) **Grand jury indictment time extended** thirty (30) more days

Date 5/1/08

NLS
Judge's Initials